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28 July 1976

MEMORANDUM FOR: Office of Legislative Counsel

ATTENTION :

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THROUGH : Deputy Director for Science and Technology

SUBJECT : Request from Bella S. Abzug,
Chairwoman, Government Information
and Individual Rights Subcommittee
(Records Disposal)

REFERENCES : A. Letter from Bella S. Abzug,
June 10, 1976

B. Memorandum from Director of
Security, 9 July 1976

1. In response to referent correspondence, the
Office of Technical Service has two cases involving
destruction of Agency records within the past ten years.

a. Case No. 1:

This case involved the destruction
of TSD files on drugs and drug-related
matters in 1973 by Dr. Sidney Gottlieb.
This case has been reported in the
Rockefeller Commission's "Report to the
President" (Page 226) and in the news
media. Although destruction of records
is involved, it is felt that this case

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should not be included in the reply to Bella Abzug for the following reasons:

1) This is not a case of unauthorized destruction since the destruction was approved by Mr. Helms.

2) No administrative penalties were taken in this instance, and Mrs. Abzug has clearly requested those instances where administrative penalties have been imposed.

b. Case No. 2:

This case falls within the scope of the request (Paragraph 4 of Reference A), and is offered in direct response to the situation cited in the 9 July 1976 Memorandum from the Office of Security (Paragraph 4). The facts concerning this case are as follows:

On 6 August 1975 during a routine review of an OTS Branch's records, it was discovered that certain files had been recalled from the Agency's Archives and had been destroyed. The destroyed documents pertained to the operational activities in Europe of the employee who destroyed them. Their destruction was considered to be a direct violation of the Director's Order not to destroy documents. The destruction of the documents had not been authorized by any of the employee's supervisors and the employee admitted destroying them. The employee "regretted his impulsive action" and was immediately relieved of all duties.

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The incident was reported officially to the Director of Personnel on 7 August 1975, and the employee was charged with misconduct and suspended. The employee voluntarily retired on 20 August 1975.

25X1 2. [redacted] of the Office of General Counsel has recommended that no reference to an investigation by the Department of Justice for purposes of prosecution be made in this memorandum.

[redacted]
David S. Brandwein
Director
Office of Technical Service

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cc: DDS&T
Director, Office of Security

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